

REMARKS/ARGUMENTS

Claims

Claims 1 -25 remain pending in the application.

Claim Rejections – 35 USC § 112

Claims 1-25 are rejected by the Examiner under 35 USC § 112. Specifically the Examiner refers to the independent claims 1 and 17 that respectively cite “obtaining pre-defined modulated transmission protocol bits stored in a memory” and “a memory storing pre-defined modulated transmission protocol bits”. The Examiner is of the opinion that the pre-defined modulated transmission protocol bits referred to in independent claims 1 and 17 are not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention.

Applicant respectfully disagrees with the Examiner and it is respectfully submitted that one skilled in the art could have easily known how to make and/or use the pre-defined modulated transmission protocol bits as cited in claims 1 and 17. To assist the Examiner in reconsidering his position, applicant encloses and submits an Affidavit by Fan Wang under 37 C.F.R. 1.132. In the submitted Affidavit, Fan Wang declares that the disclosure under Application Serial No. 10/631,257 sufficiently describes in enough detail for him to make and use the invention as claimed in the instant application. Fan Wang further describes that he would perform and use the invention as claimed by actually modulating the limited number of possible protocol transmission bit sequences and then storing the modulated bits for future use. In view of the submitted Affidavit under 37 C.F.R. 1.132 it is submitted that Independent Claims 1 and 17 and their corresponding dependent claims 2-16 and 18-25 are enabled by Applicant’s disclosure.

Conclusion

The applicant asserts that the application is now in condition for allowance. Reconsideration and allowance of the application is respectfully solicited.

If the Examiner believes that there are any informalities which can be corrected by Examiner's amendment, or in the event that the Examiner deems the present application non-allowable, a telephone call to the undersigned is respectfully solicited.

Please charge any fees that may be due to Deposit Account 502117,
Motorola, Inc.

Respectfully submitted,
Yun Xin Li Ryde, et al.

SEND CORRESPONDENCE TO:

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